

15 CV 8432

JS 44C/SDNY
REV. 4/2014

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
General Motors LLCDEFENDANTS
Benjamin PillarsATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Arthur Steinberg, Scott Davidson
King & Spalding LLP, 1185 Avenue of the Americas, New York, NY 10036
(212) 556-2100ATTORNEYS (IF KNOWN)
Victor J. Mastromarco, Jr.
The Mastromarco Firm, 1024 N. Michigan Avenue, Saginaw, MI 48602
(989) 752-1414CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 158; Bankruptcy appeal

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☒ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☐ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS			ACTIONS UNDER STATUTES		
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED	<input checked="" type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	INJURY/PRODUCT LIABILITY	28 USC 158	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 130 MILLER ACT	LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	SEIZURE OF PROPERTY	<input type="checkbox"/> 423 WITHDRAWAL	REAPPOINTMENT
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	21 USC 881	28 USC 157	<input type="checkbox"/> 410 ANTITRUST
INSTRUMENT	SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER		<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	INJURY PRODUCT		PROPERTY RIGHTS	<input type="checkbox"/> 450 COMMERCE
OVERPAYMENT &	EMPLOYERS'	LIABILITY		<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 460 DEPORTATION
ENFORCEMENT	LIABILITY			<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 470 RACKETEER INFLU-
OF JUDGMENT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY		<input type="checkbox"/> 840 TRADEMARK	ENCED & CORRUPT
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 370 OTHER FRAUD			ORGANIZATION ACT
<input type="checkbox"/> 152 RECOVERY OF	LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING			(RICO)
DEFAULTED	<input type="checkbox"/> 350 MOTOR VEHICLE				<input type="checkbox"/> 480 CONSUMER CREDIT
STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE				<input type="checkbox"/> 490 CABLE/SATELLITE TV
(EXCL VETERANS)	PRODUCT LIABILITY			SOCIAL SECURITY	
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 380 OTHER PERSONAL	LABOR	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 850 SECURITIES/
OVERPAYMENT	INJURY	PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 862 BLACK LUNG (923)	COMMODITIES/
OF VETERAN'S	<input type="checkbox"/> 362 PERSONAL INJURY -	PRODUCT LIABILITY	STANDARDS ACT	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	EXCHANGE
BENEFITS	MED MALPRACTICE		<input type="checkbox"/> 720 LABOR/MGMT	<input type="checkbox"/> 864 SSID TITLE XVI	
<input type="checkbox"/> 160 STOCKHOLDERS		PRISONER PETITIONS	RELATIONS	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 890 OTHER STATUTORY
SUITS		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 740 RAILWAY LABOR ACT		ACTIONS
<input type="checkbox"/> 190 OTHER	ACTIONS UNDER STATUTES	<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 751 FAMILY MEDICAL	FEDERAL TAX SUITS	<input type="checkbox"/> 891 AGRICULTURAL ACTS
CONTRACT	CIVIL RIGHTS	VACATE SENTENCE	LEAVE ACT (FMLA)	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	
<input type="checkbox"/> 195 CONTRACT		28 USC 2255	<input type="checkbox"/> 790 OTHER LABOR	Defendant)	<input type="checkbox"/> 893 ENVIRONMENTAL
PRODUCT	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 530 HABEAS CORPUS	LITIGATION	<input type="checkbox"/> 871 IRS-THIRD PARTY	MATTERS
LIABILITY	(Non-Prisoner)	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 791 EMPL RET INC	26 USC 7609	<input type="checkbox"/> 895 FREEDOM OF
<input type="checkbox"/> 196 FRANCHISE		<input type="checkbox"/> 540 MANDAMUS & OTHER	SECURITY ACT (ERISA)		INFORMATION ACT
	<input type="checkbox"/> 441 VOTING	PRISONER CIVIL RIGHTS	IMMIGRATION		<input type="checkbox"/> 898 ARBITRATION
REAL PROPERTY	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 462 NATURALIZATION		<input type="checkbox"/> 899 ADMINISTRATIVE
<input type="checkbox"/> 210 LAND	<input type="checkbox"/> 443 HOUSING/	<input type="checkbox"/> 555 PRISON CONDITION	APPLICATION		PROCEDURE ACT/REVIEW OR
CONDEMNATION	ACCOMMODATIONS	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> 465 OTHER IMMIGRATION		APPEAL OF AGENCY DECISION
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT	ACTIONS		<input type="checkbox"/> 950 CONSTITUTIONALITY OF
<input type="checkbox"/> 230 RENT LEASE &	DISABILITIES -				STATE STATUTES
EJECTMENT	EMPLOYMENT				
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 446 AMERICANS WITH				
<input type="checkbox"/> 245 TORT PRODUCT	DISABILITIES -OTHER				
LIABILITY	<input type="checkbox"/> 448 EDUCATION				
<input type="checkbox"/> 290 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE Jesse M. Furman DOCKET NUMBER 1:14-md-02543

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

**IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.**

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[] 1	[] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[] 3	[] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[] 5	[] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4	[] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

N/A

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

N/A

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

N/A

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 10/21/2015 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. _____ Yr. 1980 _____)
Attorney Bar Code # 1680495

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)